Annual Report 2000

Saskatchewan Conflict of Interest Commissioner

101-02669/

Saskatchewan
Conflict of Interest
Commissioner

SASKATCHEWAN

Gerald L. Gerrand, Q.C.
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January 25, 2001.

Speaker's Office,
Province of Saskatchewan,
Room 129, Legislative Building,
Regina, Saskatchewan.
S4S 0B3

Dear Sirs:

In accordance with the provisions of *The Members' Conflict of Interest Act*, I am forwarding to you my first Annual Report to the Legislative Assembly.

Yours very truly,

G. L. GERRAND
Conflict of Interest Commissioner
Province of Saskatchewan

GLG/oc
Enclosure

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On February 23, 2000 I was appointed Acting Conflict of Interest Commissioner by Order in Council, thereby succeeding Derril G. McLeod, Q.C. who had served as Conflict Commissioner for the previous six years. My appointment was formally made by resolution of the Saskatchewan Legislature on May 24, 2000. I am honored by the appointment and pleased to have an opportunity to serve in protecting and furthering the principles of parliamentary democracy.

Section 25(1) of *The Members' Conflict of Interest Act* provides:

> "25(1) In accordance with *The Tabling of Documents Act, 1991*, the commissioner shall in each year submit to the Speaker an annual report describing the progress and activities of the commissioner in the previous year."

Having regard to circumstances, including the timing of my appointment, it has been decided that this, my first annual report as Conflict of Interest Commissioner, should be submitted now, respecting the period from the date of my appointment to December 31, 2000.

The principle responsibilities of my office as prescribed by the *Act* are as follows:

1. Requesting and receiving from each Member of the Legislature the appropriate Private Disclosure Statement and meeting with each Member and spouse, if available, to review the Statement and discuss any concerns that might arise respecting the requirements of the *Act*. The Member is required to file with me his or her Private Disclosure Statement annually and no later than March 31st. Most Members met this time requirement for the year 2000 and I hope all will do so this year.

2. Preparing and filing the appropriate Public Disclosure Statements for each Member of the Legislature. The *Act* requires that this be done by June 30 in each year and I am pleased to report that this requirement was met in the year 2000.

3. When requested by Members, the providing of opinions pursuant to Section 27(1) of the *Act* respecting specific obligations of a Member under the *Act*. I have provided opinions to certain Members following my appointment, both informally at meetings and formally in writing.

4. Providing opinions pursuant to Section 29(1) of the *Act* pursuant to an application by a Member with respect to another member; a request by resolution of the Assembly; or by the President of the Executive Council with respect to any Member of the Executive Council. During the period of this Report, no such request was received.

It is my belief, based on my review of Private Disclosure Statements and personal meetings that no Member of the Executive Council is or has been engaged in any trade or employment, operation of any business or holding of any office which would be contrary to Section 9(1) of the *Act* and constitute a conflict of interest.

Shortly following my appointment, I took steps to review the legal opinion of my predecessor which permitted gratuitous annual memberships in golf clubs, business clubs and cultural organizations being granted to members of the Executive Council. My own interpretation of the provisions of the *Act*, with great respect to my predecessor, is that the acceptance of such memberships was in contravention of Section 7 of the *Act* and I so advised the Premier's office of the change. Upon receipt of my advice and recommendations in this regard, the Premier's office immediately discontinued the acceptance of these annual memberships.

The resulting change is more in accord with the practice adopted in this regard in other jurisdictions and now satisfies, in my opinion, the requirements and spirit of the *Act*.

In July, representatives of the Standing Ethics Committee of the Legislature of New South Wales, Australia, visited selected Conflicts Commissioners in Canada, including me. A meeting was convened at our Legislative Building where I engaged in an exchange with members of the Australian Committee respecting matters of mutual interest. The meeting demonstrated the

worldwide interest in fostering a clear understanding of the ethical responsibilities of democratically elected legislators.

In September, I attended the annual meeting of the Canadian Conflict of Interest Network (CCIN) in St. John's, Newfoundland. This meeting was attended by most of the Conflict of Interest Commissioners from the provinces, Yukon and the Territories as well as the Ethics Counsellor for the Government of Canada. This meeting was an introduction for me to my counterparts in other jurisdictions and provided a useful exchange of ideas on matters of common interest.

Expenditures for my office from the date of my appointment on February 23, 2000 to December 31, 2000 total $68,020.67. I am grateful for the support and assistance so pleasantly provided me by staff in the offices of the Speaker, the Clerk of the Legislative Assembly and the Department of Financial Services.

DATED at Regina, Saskatchewan, this 22nd day of January, 2001.

G.L. Gerrand, Q.C.
Conflict of Interest Commissioner
for Saskatchewan